

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRAND LITTLE,
Plaintiff,

v.

PACIFIC SEAFOOD PROCUREMENT,
LLC, et al.,
Defendants.

Case No. [23-cv-01098-AGT](#)

**ORDER ON MOTIONS TO STAY
DISCOVERY AND TO SHORTEN
TIME**

Re: Dkt. Nos. 28, 29

The Court grants defendants’ motion to stay discovery pending the resolution of defendants’ motion to dismiss. Discovery in antitrust cases can be considerable, *see Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 558–59 (2007), and rather than charging ahead now, it makes sense to first evaluate plaintiff’s complaint. “[A]djudicating the motion[] to dismiss will shed light on the best course for discovery.” *In re Graphics Processing Units Antitrust Litig.*, No. C 06-07417 WHA, 2007 WL 2127577, at *5 (N.D. Cal. July 24, 2007).

In the interim, if plaintiff is concerned that certain third parties may lose or destroy potential evidence, plaintiff may provide those third parties with notice of this case and request that they preserve relevant information. The parties may ask the Court to reevaluate the stay of discovery and its scope after the motion to dismiss is decided.

Defendants asked the Court to advance by two weeks the hearing on their motion to stay discovery. *See* Dkt. 29. The Court has decided that a hearing isn't needed and thus denies as moot defendants' motion to shorten time.

IT IS SO ORDERED.

Dated: June 23, 2023

A handwritten signature in black ink, appearing to read 'Alex G. Tse', is written over a horizontal line.

Alex G. Tse
United States Magistrate Judge